

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

LOOP AI LABS INC,
Plaintiff,

v.

ANNA GATTI, et al.,
Defendants.

Case No. [15-cv-00798-HSG](#) (DMR)

**ORDER RE DISCOVERY SANCTIONS
AS TO DEFENDANTS GATTI AND
IQSYSTEM, LLC**

Re: Dkt. Nos. 648, 696

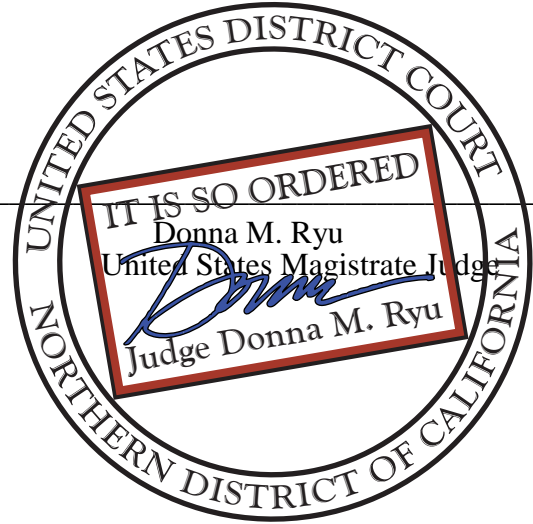
On May 6, 2016, the court issued an order granting in part and denying in part Plaintiff Loop AI Labs Inc.'s motions to compel further discovery from Defendants Anna Gatti and IQSystem, LLC ("IQS LLC"). [Docket No. 648.] In the order, the court concluded that Gatti and IQS LLC's objections to Plaintiff's discovery were not substantially justified and noted, "sanctions appear warranted pursuant to Rule 37(a)(5)(ii)." *Id.* at 7. The court ordered Plaintiff to elect between two options, should the court ultimately decide to impose sanctions—either 1) Gatti's appearance for an additional seven hours of deposition or 2) Gatti and IQS LLC's payment of the reasonable attorneys' fees Plaintiff incurred in moving to compel. *Id.* at 7-8. The court ordered Plaintiff to "file a letter simply electing option (1) or (2), and nothing more" by May 20, 2015, and set a deadline for Gatti and IQS LLC's response. *Id.* at 8.

Plaintiff did not comply with the court's order. Instead, on May 20, 2015, Plaintiff filed a letter to the court in which it sought permission to serve "certain [unidentified] Subpoenas that are material to the claims in this case, *in lieu* of redeposing Defendant Gatti or obtaining a fee award." [Docket No. 696.] The court chose two potential sanctions which were tailored to the conduct at issue, and allowed Plaintiff to select between them. Plaintiff did not do so, and in fact, failed to comply with the court's order. The court therefore declines to impose Rule 37(a)(5)(ii) sanctions

1 against Gatti and/or IQS LLC for the discovery conduct at issue in the May 6, 2016 order.

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3 **IT IS SO ORDERED.**

4 Dated: July 4, 2016



United States District Court
Northern District of California